

DETAILED ACTION

Specification

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: the 0.3 mass % of a fluorine polymer (claim 1) cannot be found in the specification.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Mogami et al. 5,684,071, Yamamoto et al. 5,770,644, Tanaka et al. JP-2003-076088, Yoshihara et al. JP-11-080519 or Saiki et al JP-09-143346.

4. Mogami et al. disclose polyester and a heterocyclic compound in claim 9, melamine cyanurate in claim 12, polyethylene terephthalate in claim 16 and polybutylene terephthalate in column 11, line 15. Yamamoto et al. teach polyester and melamine cyanurate in claim 1 and polybutylene terephthalate in column 15, lines 27-30. Tanaka et al. recite a polyester elastomer and melamine cyanurate in the Abstract. Yoshihara et al. reveal polyalkylene terephthalate and melamine cyanurate in the Abstract. Saiki et al. display polybutylene terephthalate and melamine cyanurate in the Abstract. Applicant's claims are not novel.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mogami et al. 5,684,071, Yamamoto et al. 5,770,644, Tanaka et al. JP-2003-076088, Yoshihara et al. JP-11-080519 or Saiki et al JP-09-143346.

7. All references have been described previously. It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to select applicant's ingredients in the claimed concentrations from a lit of equivalents.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Szekely whose telephone number is (571) 272-1124. The examiner can normally be reached on 6:10 a.m.-4:40 p.m. Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on (571) 272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Peter Szekely/
Primary Examiner, Art Unit 1796

/P. S./
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8/8/08